IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 15TH DECEMBER 2006 / 24TH AGRAHAYANA 1928

WP(C).No. 8421 of 2006(C)

PETITIONER:

1. K.J.YASODHA, W/O. RAMACHANDRAN NAMBIAR, PADAVANCHERI HOUSE, MANTHARATHU P.O., KOZHIKODE.

2. RAMACHANDRAN NAMBIAR, S/O. KRISHNAN ADIYODI, PADAVANCHERI HOUSE, MANTHARATHU P.O., KOZHIKODE.

BY ADV. SRI.JOSEPH SEBASTIAN PURAYIDAM
SRI.K.RADHAKRISHNAN (K)
SMT.MABLE.C.KURIAN

RESPONDENTS:

1. KOZHIKODE DISTRICT CO-OP. BANK LTD. NO. F 1635, REPRESENTED BY ITS GENERAL MANAGER.

2. THE JOINT REGISTRAR, CO-OPERATIVE SOCIETIES, KOZHIKODE.

3. KERALA CO-OPERATIVE TRIBUNAL, THIRUVANANTHAPURAM.

4. SPECIAL SALES OFFICER, KOZHIKODE DISTRICT CO-OP. BANK LTD., KALLAI ROAD, KOZHIKODE-2.

BY GOVERNMENT PLEADER, SRI.P.K.RAVIKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.M.JAMES, J.

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W.P.(C) No. 8421 of 2006 (C)

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Dated this the 15th day of December, 2006

J U D G M E N T

The writ petitioners are challenging the order in A.R.C.No. 416/2004, dated 28/02/2005, before the third respondent, the Kerala Co-operative Tribunal, Thiruvananthapuram, through an appeal. The same is pending. Meanwhile, the first respondent took steps to bring the property to sale. The counsel submits that an amount of Rs.1,32,000/- had already been deposited. Exhibit P3 sale notice shows that an amount of Rs.2,95,751/- is due to the first respondent bank.

2. As the award is under challenge, I direct the third respondent, Kerala Co-operative Tribunal, Thiruvananthapuram, to dispose of the appeal, within three months, from the date of production of the copy of this judgment, before the Tribunal. Till disposal of the appeal, Exhibit P3 sale notice shall be kept in abeyance.

This writ petition is closed as above.

(J.M.JAMES)
Judge

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